

Applicant(s) : Jürgen Schulz
Serial No. : 10/553,292
Filed : November 10, 2006
Page : 8 of 10

Attorney Docket No.: 4A005-002US1
Client Ref. No.: RD40432

REMARKS

The Applicant has added new dependent claims 20-23. These claims are directed to features that relate to the periodic computation of distribution areas. Support for features in these claims can be found at paragraph [0012].

Prior Art Rejections

The Examiner has rejected claims 1-19 as being unpatentable over Bloom (US 2002/0130065 A1) in view of Robare (US 6,601,073 B1).

The Examiner acknowledges that Bloom alone fails to disclose "...sensor units for detecting identification data, package sizes (length, width, height, weight), addresses and geo coordinates, respectively" but cites Robare as disclosing this feature (office action Page 3, paragraph 2). The Examiner contends that it would have been obvious to modify Bloom to include Robare's sensors to provide the advantage of faster sorting and distribution the items to the destination.

We disagree. We submit that neither Bloom nor Robare separately or in combination discloses "combining in the HUB center the package codes with data sets comprising measurement data (length, width, height, weight), geo coordinates (addressees) and identification data of the packages, respectively, to controllable package routing codes, respectively," as recited in claim 1. Additionally, we submit that neither patent discloses "sensor units for detecting identification data, package sizes (length, width, height, weight), addresses and geo coordinates, respectively," as recited in claim 11.

Rather, Robare discloses a navigation system, including a sensor suitable to "...measure the speed, direction, angular acceleration, and so on, of the vehicle." (col. 3 lines 57-59). Robare's sensors, however, do not provide the data recited in claims 1 and 11 as discussed above. Therefore, even if one skilled in the art was to modify Bloom's system and method to include Robare's sensor (which we do not concede), that person would not have arrived at the inventions as recited in claims 1 and 11.

There is another reason why the combination of Bloom and Robare fails to disclose the inventions recited in independent claims 1 and 11. We disagree with the

Examiner's contention that Bloom discloses packages that are "distributable by a route planning that is dynamically optimized by the package routing codes". In particular, we submit that Bloom fails to disclose "arranging the packages according to output signals that are generated by a program of the central computer and that effect a dynamically optimizable route planning in a sorted package sequence sorted in accordance with distribution zones" as recited in claim 1. Additionally, we submit that Bloom fails to disclose that "packages are transferrable in an ordered sequence into at least one vehicle and the packages are distributable by a route planning that is dynamically optimized by the package routing codes" as recited in claim 11. Instead, Bloom discloses a method and system for efficient delivery of bulk packages to recipients. However, Bloom neither describes nor suggests that the delivery of bulk packages to recipients is in an "optimized" or "optimizable" manner, much less a "dynamically optimized" or "dynamically optimizable" manner.

For at least these reasons, system claim 11 and method claim 1 should be allowable over Bloom in view of Robare. We submit that because claims 2-10 and claims 12-19 depend from independent claims 1 and 11, respectively, these claims are patentable over Bloom and Robare for at least the same reasons that claims 1 and 11 are patentable.

Conclusion

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

The excess claims fee in the amount of \$78.00 is being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account authorization. Please

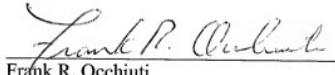
Applicant(s) : Jürgen Schulz
Serial No. : 10/553,292
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Page : 10 of 10

Attorney Docket No.: 4A005-002US1
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apply any other charges to Deposit Account No. 50-4189, referencing Attorney Docket No. 4A005-002US1.

Respectfully submitted,

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